

Hon. Tana Lin

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHARLIE EDGMON, by and through his next
friend, THOMAS DEGROOT,

Plaintiff

v.

SUSAN E. BIRCH, in her official capacity as
Director of the Washington State Health Care
Authority; COORDINATED CARE OF
WASHINGTON, INC.; and SOUND,

Defendants.

No. 22-cv-00287-TL

~~PROPOSED~~ ORDER APPROVING
SETTLEMENT

A Joint Petition for Approval of Settlement Agreements having been filed on behalf of the above-named incapacitated person, the Court finds that the facts set forth give the Court jurisdiction over this matter and that pursuant to LCR 17, a Settlement Guardian ad Litem has reviewed the facts of this matter and recommended approval of the three settlement agreements as adequate and reasonable and approval of the disbursement of settlement funds for attorney's fees and costs.

~~PROPOSED~~ ORDER APPROVING SETTLEMENT - 1

1 Accordingly, the Court hereby ORDERS:

- 2 A. The offered gross settlement of \$276,500.00 reached on behalf of Charlie Edgmon is
3 adequate and reasonable, and the settlement is approved by the Court.
- 4 B. The Settlement Agreement signed by Defendant Susan E. Birch, Director, Washington
5 State Health Care Authority, on September 7, 2022, is approved.
- 6 C. The Settlement Agreement signed by Defendant Coordinated Care of Washington
7 Inc., on August 12, 2022, is approved.
- 8 D. The Settlement Agreement signed by Defendant Sound on August 17, 2022, is
9 approved.
- 10 E. The reasonable attorney fees of \$29,525.00 is approved for payment from Charlie
11 Edgmon's settlement proceeds to the Law Office of Andrew S. Biviano.
- 12 F. The reasonable attorneys' fees of \$87,975.00 is approved for payment from Charlie
13 Edgmon's settlement proceeds to Disability Rights Washington.
- 14 G. The reasonable attorneys' costs of \$5,667.00 is approved for payment from Charlie
15 Edgmon's settlement proceeds to Disability Rights Washington.
- 16 H. The establishment of a Trust share with the pooled trust entitled the Washington State
17 Developmental Disabilities Endowment Trust Fund ("DDETF") with ARC of
18 Washington as Trust manager for the benefit of Charlie Edgmon is approved.
- 19 I. Next Friend Thomas DeGroot is approved to establish a Trust share on behalf of
20 Charlie Edgmon.
- 21 J. Carmin Edgmon is approved to be appointed the Primary Representative of the Trust
22 share.
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1 K. The transfer of the net settlement to the Trust share for the benefit of Charlie Edgmon
2 with the DDETF by Attorney Sarah Haywood Eaton, Attorney, for Disability Rights
3 Washington is approved.

4 L. The fees and costs to establish the Trust Share for the benefit of Charlie Edgmon with
5 the DDETF are approved.

6 M. The Trustee Manager, ARC of Washington, is directed to prepare and present to
7 Charlie Edgmon, and to Next Friend Thomas DeGroot, and to Carmin Edgmon, an
8 annual statement of income, expenses, current assets, and fees charged on the Trust
9 share in lieu of annual reports to any Court.

10 N. The Settlement Guardian ad Litem fees and costs of \$6,731.50, plus additional fees of
11 up to \$600.00 (2 hours) to attend a final hearing, if necessary, on approval of the
12 settlement, plus an estimated amount of up to \$1200.00 (4 hours) for communication
13 and correspondence with the parties, if necessary, preparation and filing of the status
14 report, payable to Aiken, St. Louis, & Siljeg, P.S. is approved as reasonable.

15 O. Defendant Susan E. Birch, Director, Washington State Health Care Authority is
16 directed to pay up to \$3,500 in fees and costs billed by the Settlement Guardian ad
17 Litem within 30 days of the entry of this Order, per the Settlement Agreement signed
18 on September 7, 2022.

19 P. Defendant Coordinated Care of Washington Inc. is directed to pay up to \$3,500 in fees
20 and costs billed by the Settlement Guardian ad Litem within 30 days of the entry of
21 this Order, per the Settlement Agreement signed on August 12, 2022.

1 Q. Plaintiff is directed to pay any remaining balance of the fees and costs billed by the
2 Settlement Guardian ad Litem within 30 days of the entry of the order approving the
3 settlement.

4 R. The Settlement Guardian ad Litem is discharged upon the transfer of the net
5 settlement funds into the DDETF share for the benefit of Charlie Edgmon.
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7 SO ORDERED this 22nd day of March 2023.
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10 Tana Lin
11 United States District Judge
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